

**Comments in Response to Localism Notice of Proposed Rulemaking
MB Docket No. 04-233**

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so – and must not be adopted.

(1) I want to express my desire that broadcasters not be forced, (especially religious broadcasters), to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. I would ask for consideration of the proposition that the First Amendment may prohibit government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present.

(2) I want to express my desire that the FCC not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so – even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion.

(3) I would request that broadcasters not be forced (i.e. by the FCC) to reveal specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency – and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

(4) I would ask for refraining from a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves could amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings. Would this not be a truly possible scenario?

(5) Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks – and curtailed service is contrary to the public interest.

I hereby voice my desire that the FCC not to adopt rules, procedures or policies discussed above.

**6) I want to voice my special appreciation to one particular station- K-Love, which broadcasts across the country, as having made a positive impact in my life, and, I can state with confidence, in the lives of other citizens as well, encouraging and building us up to be better citizens. I am truly grateful for this broadcast.

By typing in my name below, I hereby acknowledge a desire for it to be credited as a genuine signature.

Solomon Powell
Signature

4-29-08
Date

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